Abstract Proceedings of the Travancore Legislative Council.

The Council met in the Dewan's room, Public Offices, at 12 Noon, on the 30th Chingom 1091/15th September 1915.

Present.

Dewan Bahadur
M. KRISHNAN NAIR ESQ., B. A. & B. L.,
DEWAN, ... *Presiding.*

A. J. Vieyra Esq., B. A.
V. Subba Aiyar Esq., B. A. & B. L.
N. Subrahmanya Aiyar Esq., M. A.
P. Kuruvila Varkki Esq.
K. V. Rengaswami Aiyangar Esq., M. A.
N. Raman Pillai Esq., B. A.
John Kuriyan Esq., B. A., B. C. E.
K. Parameswaran Pillai Esq., B. A. & B. L.
K. G Sesha Aiyar Esq., B. A. & B. L.
C. P. Thomas Esq., B. A. & L. T.
K. G. Parameswara Menon Esq., B. A. & B. L.
A. M. Kumara Pillai Esq., B. A. & B. L.
T. K. Velu Pillai Esq., B. A. & B. L.
K. Narayanan Pandalay Esq, B. A. & B. L., *Secretary.*

The Secretary reported to the Council that the Irrigation Regulation Amendment Bill, Cattle Trespass Regulation Amendment Bill, the Insolvency Bill, the Succession Certificate l and the Patents and Designs Bill, finally passed by the Council on the 21st June 1915, eived the assent of His Highness the Maha Raja, the first two on the 3rd August 1915, and remaining three on the 7th August 1915, and that they became law as Regulations VI, VII, II, IX and X of 1090, respectively.

THE GLANDERS AND FARCY BILL.

Mr. Subba Aiyar introduced the Glanders and Farcy Bill, and said that it was desirable rovide for the control of such contagious diseases as glanders and farcy among horses, as nals attacked by the disease were not only a source of danger to other animals but were also ible of transmitting the disease to human beings. Mr. Subba Aiyar therefore moved that the iciple of the Bill be affirmed.

Seconded by Mr. Rengaswami Aiyangar.

Carried.

Mr. Subba Aiyar then moved that the Bill be referred to a Select Committee consisting of lover and Messrs. Vieyra and Velu Pillai, to report within two months.

Seconded by Mr. Subrahmanya Aiyar.

Carried.

THE LAND CONSERVANCY REGULATION AMENDMENT BILL.

Mr. Subba Aiyar presented the report of the Select Committee on the Land Conservancy ation Amendment Bill, and moved that the report and the Bill be taken up for considera- once.

Seconded by Mr. Subrahmanya Aiyar.

Carried.

Section 3, sub-section (1)

Mr. (Vieyra moved that the preposition "of" occurring at the beginning of Clauses (*a*), ;) and (*d*) of sub-section (1) of Section 3, be omitted, and that the same be add-d after the l "property" in line 8 of the sub-section.

Seconded by Mr. Subba Aiyar.

Carried.

Section 3, Explanation I.

Mr. Sesha Aiyar moved that the word "reversion" be substituted for the word "revision" occurring in line 2 of Explanation I to Section 3, as the former word was more appropriate.

Seconded by Mr. Subba Aiyar.

Carried.

Section 5.

Mr. Subrahmanya Aiyar said that the phrase "or a poramboke", occurring in line 2 of Section 5, was unnecessary, as porambokes were covered by the immediately preceding expression "land which is the property of Government". He therefore moved that the said words "or a porambcke' be deleted.

Seconded by Mr. Sesha Aiyar.

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Mr. Velu Pillai observed that it would be better to retain the word "poramboke Section. In order, however, to remove the difficulty pointed out by Mr. Subrahmany Mr. Velu Pillai moved that the portion "land which is the property of Government poramboke", occurring in line 2 of the Section, be recast as follows:—

"poramboke or any other land which is the property of Government".

Seconded by Mr. Kumara Pillai.

After some discussion, the Council resolved to substitute the words "whether a pora boke or not" for the words "or a poramboke" in Section 5. It was further resolved by t Council that similar amendment be made in line 1 of Section 6, line 2 of Section 8 and line 4 Section 18, where also the words "or a poramboke" occurred.

Section 7, sub-section (1).

Mr. Velu Pillai moved that the words "land other than a poramboke, which is t property of Government", occurring in lines 1 and 2 of sub-section (1) of Section 7, be recast follows, to make the intended meaning clearer :—

"land which is the property of Government other than a poramboke".

Seconded by Mr. Subba Aiyar.

Carried.

Section 7, sub-section (2), para 2.

Mr. Subrahmanya Aiyar moved that the words "the liability to pay such assessment" inserted between the words "and" and "shall", in line 2 of para. 2 of sub-section (2) of Sect 7, in order to make the wording precise.

Seconded by Mr. Sesha Aiyar.

Carried.

Section 7, Explanation.

Mr. Subrahmanya Aiyar pointed out that, by the Explanation to Section 7, discretion given to the Government to treat the unauthorised occupation of a Government land for any port of a year as such occupation for a whole year for purposes of levying assessment or prohibit assessment, and that this power conflicted with the express provision in the previous paragra wherein it was laid down that the liability to pay assessment or prohibitory assessment for authorised occupation *ceased* from the date on which the land concerned was relinquished. pointed out that the power given to the Government by the Explanation was very neces for the purpose of compelling a person to pay up the assessment due for a whole year, i case where the whole benefit arising out of the land had been enjoyed by him during the por of the year for which his occupation lasted. As an instance, the Member stated that, i case of certain paddy fields, all the two crops of the year could be reaped during the first months and that, in such a case, it would be disadvantageous to the Government to remit portion of the assessment for the remaining four months of the year. Mr. Subrahmanya therefore moved that the words "and the liability to pay such assessment shall cease fro date on which the land concerned is relinquished", occurring in para. 2 of sub-section Section 7, be omitted, the Explanation to the Section being retained.

Seconded by Mr. Sesha Aiyar.

Mr. Parameswaran Pillai observed that the retention of the Explanation would be i ous to the interests of the public in as much as it left the discretion entirely in the offic Government to decide whether assessment should be levied for the whole year or only fo portion of it during which the unauthorised occupation lasted. He was of opinion that it w be more equitable to provide that the liability to pay assessment should cease from the date which the unauthorised occupation itself ceased. He therefore moved that the Explanation Section 7 be omitted, the words proposed to be deleted by Mr. Subrahmanya Aiyar be retained.

Seconded by Mr. Velu Pillai.

Considerable discussion ensued on the advisability of omitting either the Explanation Section 7 or the latter part of para. 2 of sub-section (2) of Section 7.

Mr. Vieyra pointed out that it would be best to leave the Section as it was, as it protect the interests of the occupant, on the one hand, by providing that the liability to pay assessme should cease on the date on which the unauthorised occupation ceased, while, on the other han the Explanation safeguarded the interests of the Government in cases of attempted fraud, l empowering the Government to levy assessment for the whole year. Mr. Vieyra was, therefor against the omission of either the Explanation to Section 7 or the latter part of para. 2 of sub section (2) of Section 7.

The President decided to put to the vote the proposition moved by Mr. Subrahmanya Aiyar, as also the counter-proposition moved by Mr. Parameswaran Pillai.

The majority were in favour of omitting the Explanation to Section 7, and it was accordingly resolved by the Council.

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Section 18, Proviso.

Sesha Aiyar moved that the Proviso to Section 18 be recast as follows :—

Provided that Civil Courts shall not take cognizance of any such suit, unless it shall d within one year from the date on which the cause of action arose."

conded by Mr. Subba Aiyar.

rried.

Subba Aiyar then moved that the Bill, as amended by the Council, be read again on a of which notice should be given.

Seconded by Mr. Vieyra.

Carried.

THE CRIMINAL TRIBES BILL.

Mr. Subba Aiyar then presented the report of the Select Committee on the Criminal Tribes Bill, and moved that the report and the Bill be taken up for consideration.

Mr. Vieyra said that the Planting Associations in Travancore were interested in the Bill, and that Mr. Richardson the Member who represented the planting interest was absent that day. He therefore suggested that the consideration of the Bill be put off to the next meeting.

The Council accordingly resolved to postpone the consideration of the Bill.

The Council adjourned at 1-45 P. M.

M. KRISHNAN NAIR,
President.

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